

Addressing the Racial Impact of Policing



STRONGER USE OF FORCE STANDARD



Change the use of force statute to require belief in necessity of force to be "objectively reasonable". Currently, the statute is unclear and entirely subjective. The current statute does not require a police officer to establish that the use of force was actually necessary.



STATEWIDE CIVILIAN REVIEW BOARD

Establish a statewide Civilian Review Board to provide independent review of police misconduct cases.



BAN VIOLATIONS OF CIVIL RIGHTS

Establish state law that prohibits the knowing or reckless deprivation of someone's constitutional rights, enforced by the Division of Civil Rights and Public Trust and modeled after federal law (18 § U.S.C. 242).



MANDATORY AND UNIVERSAL BODY CAMERAS

Invest in and deploy the daily use of body cameras for all police officers throughout the State of Delaware.



BAN THE USE OF KNEE & CHOKE HOLDS

Ban acts of applying force or pressure against the trachea, windpipe, carotid artery, or jugular vein unless deadly force is necessary.



ESTABLISH A STATEWIDE "DO NOT HIRE" LIST

Entering all police misconduct findings into a "Do Not Hire" list of officers who have been fired or resigned due to abuse of force or misconduct.



REFORM "LEOBOR"

Review and reform the disciplinary process for law enforcement officers to allow for greater accountability for misconduct, including amending the Law Enforcement Bill of Rights (LEOBOR). Focused attention should be placed on improving transparency, ensuring investigations are unimpeded, and requiring drug and alcohol testing following a use of force incident.



LIMIT CIVIL FORFEITURE

Ban the forfeiture of property without an arrest for a felony crime.



DEVELOP A STATEWIDE USE OF FORCE STANDARD FOR EVERY POLICE AGENCY

Create a minimum, statewide standard requiring officers to exhaust all reasonable alternatives before using deadly force, to intervene to stop another officer for using excessive force, and to report any use of force policy violations.



EXPAND COMMUNITY POLICING

Encourage all police agencies to adopt community-oriented policies consistent with President Obama's report on 21st Century Policing.



REFORM PROBATIONER SEARCH PROGRAMS

Review and reform programs between probation and parole and law enforcement that currently provide expanded search and seizure opportunities for those on probation to analyze racial impact and effectiveness.



COMMITMENT TO CRIMINAL JUSTICE REFORM

Continue efforts for passage of the remaining criminal justice reform legislation that was proposed in 2019.

Internal Reform at DOJ



EXPAND THE ROLE OF THE DIVISION OF CIVIL RIGHTS AND PUBLIC TRUST (DCRPT)

Expand DCRPT's authority to review use of force incidents beyond fatal police shootings.



DISCLOSE VIDEOS OF POLICE SHOOTINGS

Publicly release videos of police shootings within the State's ethical bounds (e.g., after introduction into evidence if release would jeopardize a fair trial)



DATA COLLECTION

Collect and report publicly racial data in all felony cases on charging, plea offers, sentencing recommendations, and positions on expungements and pardons.